

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Koji Yamaya, et al.	Examiner:	Matthew John Kasztejna
Serial No:	10/721,518	Art Unit:	3739
Filed:	November 25, 2003	Docket:	17280
For:	ENDOSCOPE APPARATUS	Dated:	August 2, 2007
Conf. No.:	5316		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

LETTER TO EXAMINER

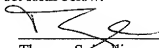
Sir:

In response to the Final Official Action dated March 26, 2007, Applicant's submitted a response under 37 C.F.R. § 1.116 on June 26, 2007 by facsimile. Applicants received an auto-reply facsimile transmission from the patent office acknowledging receipt of such response. Copies of the response filed by applicants and the auto-reply facsimile transmission received from the patent office are enclosed herewith.

CERTIFICATE OF ELECTRONIC FILING

I hereby certify that this correspondence is being deposited with the United States Patent & Trademark Office via Electronic Filing through the United States Patent and Trademark Office e-business website, on the date set forth below.

Dated: August 2, 2007

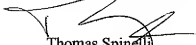

Thomas Spinelli

In anticipation of filing a Notice of Appeal, the undersigned checked the USPTO's PAIR system to determine if such a Notice of Appeal would be necessary. Instead, the undersigned noticed that the response filed by Applicants on June 26, 2007 was never processed or entered into the record for the present application.

Thus, the undersigned contacted the Examiner who recommended that Applicants submit a copy of the previously filed response (with the original date of submission) as well as a copy of the auto reply facsimile transmission received from the patent office.

In light of the above, Applicants respectfully request that the previously filed response be entered into the record and considered as if it were received by the patent office on June 26, 2007.

Respectfully submitted,



Thomas Spinelli
Registration No.: 39,533

Scully, Scott, Murphy & Presser, P.C.
400 Garden City Plaza, Suite 300
Garden City, New York 11530
(516) 742-4343

TS:cm

Enclosures (Copy of Response Under 37 C.F.R. §1.116 filed on June 26, 2007 and
Copy of Auto Reply Facsimile Transmission Received From Patent Office)



USPTO

6/26/2007 5:06:24 PM PAGE 1/001 Fax Server

Co-reply fax to 516 742 4366 COMPANY:

Auto-Reply Facsimile Transmission



TO:

Fax Sender at 516 742 4366

Fax Information

Date Received:

6/26/2007 5:02:55 PM [Eastern Daylight Time]

Total Pages:

11 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received
Cover
Page

=====>

Jun 26, 2007 5:04 PM

Va. 1364 5.1

400 Station City Place, Suite 200
Garden City, New York 11530
(516) 742-4366 - Telephone
(516) 742-4366 - Facsimile
E-mail: info@uspto.gov

**SCULLY, SCOTT, MURPHY
& PRESSER, P.C.**

Fax

To: Examiner Matthew John Kacelnik Art Unit 3739	From: Thomas Spinelli, Esq. Registration No. 59,539
Fax: 571-272-4300	Pages: 11
Phone: 571-272-4366	Date: June 26, 2007
Ref: USPN: 10/751,518 Our DocId: 17290	CC:

RESPONSE TO FINAL OFFICE ACTION

The following is being filed with the U.S. Patent and Trademark Office via facsimile on June 26, 2007:

1. Response Under 37 C.F.R. § 1.118 W/Transmitted in Duplicate
2. Certificate of Transmission Under 37 C.F.R. 1.8

Applicant: Kofj Yoniss, et al.
Serial No.: 11/721,518
Port: ENDSCOPE APPARATUS
Filed: November 25, 2003
DocId: 17290
Date: June 26, 2007
TS:cm

CONFIDENTIALITY: The documents accompanying this facsimile transmission may contain information which is either confidential or legally privileged and is intended only for the authorized use of the individual or entity named above. If you are not the intended recipient, you are notified that any disclosure, copying, distribution or use of the contents of the foregoing is prohibited. If you received this transmission in error, please notify us immediately by telephone to arrange for return of the documents.

If you have any problems concerning this facsimile, please call (516) 742-4343 and ask for Christine Maguire.

* * * Communication Result Report (Jun. 26. 2007 5:07PM) * * *

2}

Date/Time: Jun. 26. 2007 5:04PM

File	No. Mode	Destination	Pg(s)	Result	Page Not Sent
1304	Memory TX	15712738300	P. 11	OK	

Reason for error

E. 1) Hang up or line fail
E. 3) No answer
E. 5) Exceeded max. E-mail size

E. 2) Busy
E. 4) No facsimile connection

407 Garden City Place, Suite 200
Garden City, NY 11530
(516) 762-4543 - Telephone
(516) 762-4544 - Facsimile
Email: info@scmusa.com

**SCULLY, SCOTT, MURPHY
& PRESSER, P.C.**

Fax

To: Examiner Matthew John Macaluso At Unit: 3078	From: Thomas Spindt, Esq. Registration No.: 38,639
Pat: 571-272-6300	Pages: 11
Phone: 571-272-6090	Date: June 25, 2007
Re: USPN: 107291518 Our Doc#: 17383	62:

RESPONSE TO FINAL OFFICE ACTION

The following is being filed with the U.S. Patent and Trademark Office via facsimile on June 26, 2007:

1. Response Under 37 C.F.R. § 1.116 With Amendment in Duplicate
2. Certificate of Transmission Under 37 C.F.R. 1.8

Applicant:	K/S Yamaya, et al.
Serial No.:	110791518
Fig.:	FIG. 1-10
Filed:	November 25 2003
Doc#::	17383
Date:	June 26, 2007
TS-on:	

CONFIDENTIALITY The documents accompanying this facsimile transmission may contain information which is either confidential or highly privileged and is intended only for the exclusive use of the individual or entity named above without right or obligation of reproduction, dissemination or disclosure except as expressly authorized in writing by the sender. All rights are reserved. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or use of the contents of this facsimile is prohibited. If you are not the intended recipient, please do not rely on the information contained herein for any purpose.

If you have any problems concerning this facsimile, please call (516) 762-4543 and ask for Christine McGovern.

Doc Code:

PTO/SB/97 (09-06)
Approved for use through 03/31/2007. OMB 0851-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the
United States Patent and Trademark Office

on June 26, 2007
Date



Signature

Thomas Spinelli

Typed or printed name of person signing Certificate

39,533
Registration Number, if applicable

516-742-4343
Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending on the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2

AMENDMENT TRANSMITTAL LETTER (Large Entity)

Applicant(s): Koji Yamaya, et al.

Docket No.

17280

Application No.

Filing Date

Examiner

Customer No.

Group Art Unit

Confirmation No.

10/721,518

November 25, 2003

Matthew John Kasztejna

23389

3739

5316

Invention: ENDOSCOPE APPARATUS

COMMISSIONER FOR PATENTS:

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	5 -	20 =	0	x \$50.00	\$0.00
INDEP. CLAIMS	2 -	4 =	0	x \$200.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00

- ☒ No additional fee is required for amendment.
- ☐ Please charge Deposit Account No. _____ in the amount of _____
- ☐ A check in the amount of _____ to cover the filing fee is enclosed.
- ☒ The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 19-1013/SSMP
- ☐ Any additional filing fees required under 37 C.F.R. 1.16.
- ☐ Any patent application processing fees under 37 CFR 1.17.
- ☐ Payment by credit card. Form PTO-2038.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Signature

Thomas Spinnelli
Registration No.: 39,533

Dated: June 26, 2007

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____

(Date)

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence

CC:

Doc Code:

PTO/SB/97 (06-06)

Approved for use through 03/31/2007. OMB 0361-0061

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the
United States Patent and Trademark Office

on June 26, 2007
Date



Signature
Thomas Spinelli

Typed or printed name of person signing Certificate

39,533 516-742-4343
Registration Number, if applicable Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending on the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

AMENDMENT TRANSMITTAL LETTER (Large Entity)

Applicant(s): Koji Yamaya, et al.

Docket No.

17280

Application No.

10/721,518

Filing Date

November 25, 2003

Examiner

Matthew John Kasztejna

Customer No.

23389

Group Art Unit

3739

Confirmation No.

5316

Invention: ENDOSCOPE APPARATUS

COMMISSIONER FOR PATENTS:

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	5 -	20 =	0	x \$50.00	\$0.00
INDEP. CLAIMS	2 -	4 =	0	x \$200.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00

- ☒ No additional fee is required for amendment.
- ☐ Please charge Deposit Account No. _____ in the amount of _____
- ☐ A check in the amount of _____ to cover the filing fee is enclosed.
- ☒ The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 19-1013/SSMP
- ☐ Any additional filing fees required under 37 C.F.R. 1.16.
- ☐ Any patent application processing fees under 37 CFR 1.17.
- ☐ Payment by credit card. Form PTO-2038.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Dated: June 26, 2007


Signature

Thomas Spinelli

Registration No.: 39,533

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____

(Date)

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence

CC: